

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

SINGULAR COMPUTING LLC,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 1:19-cv-12551-FDS
	)	
GOOGLE LLC,	)	Hon. F. Dennis Saylor IV
	)	
Defendant.	)	
_____	)	

**NON-PARTY APPLE INC.’S RESPONSE TO JULY 11, 2024 ORDER TO SHOW  
CAUSE**

Non-Party Apple Inc. (“Apple”) respectfully submits this response to the Court’s July 11, 2024 Order to Show Cause (the “OSC,” Dkt. No. 755).

On February 2, 2024, Apple filed an unopposed Motion to Impound Trial Exhibit 1064 as well as a narrow, related portion of the trial transcript (the “Motion,” Dkt. No. 745). As explained in the Motion, Trial Exhibit 1064 is a confidential agreement between Apple and Plaintiff (the “Apple Agreement”), and Apple understands the exhibit was admitted at trial on January 10, 2024. Further, while Apple does not have access to the trial transcript in this case, Defendant’s counsel informed Apple’s counsel that Plaintiff’s witness, Dr. Bates, testified about the terms of the Apple Agreement on January 10, 2024, including the amount of the fee stated in the Apple Agreement, which is confidential for the reasons set forth in Apple’s Motion. (*See* Mot. at 2.) The Court granted Apple’s Motion on February 28, 2024 (Dkt. No. 753).

To the extent the OSC is intended to modify or reconsider the Court’s Order granting Apple’s Motion to Impound, Apple renews and incorporates by reference the arguments set forth in its Motion and supporting declarations (*see* Dkt. Nos. 745, 746, 747), and requests that the confidential Apple Agreement admitted into evidence as Trial Exhibit 1064, as well as the

narrow portion of the January 10, 2024, trial transcript reflecting Dr. Bates' testimony regarding the financial terms of the Apple Agreement, remain impounded. Plaintiff Singular Computing, LLC and defendant Google LLC confirmed via email on July 19, 2024, that they continue to not oppose Apple's request.

Dated: August 2, 2024

Respectfully submitted,

NON-PARTY APPLE INC.

By its Counsel,

*/s/ Kevin S. Prussia*

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**LOCAL RULE 7.1 CERTIFICATION**

Pursuant to Local Rule 7.1(a)(2), I hereby certify that Apple met and conferred in good faith with counsel for the parties regarding the confidentiality of Trial Exhibit No. 1064 and related portions of the trial transcript, and Defendant's counsel and Plaintiff's counsel confirmed that their clients continue to not oppose Apple's request.

/s/ Kevin S. Prussia

Kevin S. Prussia (BBO# 666813)

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing document, which was filed with the Court through the CM/ECF system, will be sent electronically to all registered participants as identified on the Notice of Electronic Filing.

/s/ Kevin S. Prussia

Kevin S. Prussia (BBO# 666813)